IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

FRIDAY, THE 12TH JANUARY 2007 / 22ND PAUSHA 1928

WP(C).No. 28792 of 2006(C)

PETITIONER:

P.M.XAVIER,
OVERSEER (RTD.), ELECTRICAL SECTION,
FORT KOCHI, RESIDING AT PULIPARAMBIL HOUSE,
9/980, KEMBIRI LANE, KOCHI-682 002.

BY ADV. SRI.N.SUGATHAN
SMT.VARSHA BHASKAR

RESPONDENTS:

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1. THE KERALA STATE ELECTRICITY BOARD,
REPRESENTED BY THE SECRETARY,
VAIDYUTHI BHAVAN, PATTOM, THIRUVANANTHAPURAM.

2. THE CHIEF ENGINEER (HRM),
K.S.E.BOARD, VAIDYUTHI BHAVAN, PATTOM,
THIRUVANANTHAPURAM.

3. THE DEPUTY CHIEF ENGINEER,
ELECTRICAL CIRCLE, K.S.E.BOARD,
ERNAKULAM, POWER HOUSE ROAD, KOCHI-18.

4. THE EXECUTIVE ENGINEER,
ELECTRICAL DIVISION, K.S.E.BOARD,
THOPPUMPADY, KOCHI-682 005.

BY ADV. SRI.K.S.ANIL, SC, KSEB

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 12/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J

W.P.(C)NO.28792 of 2006

Dated this the 12th day of January, 2007

JUDGMENT

The petitioner retired from the service of the Kerala State Electricity Board while working as Overseer. His grievance about the delay in according sanction for the retirement benefits stands redressed by the passing of Ext.P1 by the Chief Engineer on 6.12.2006. The petitioner has been sanctioned DCRG of Rs.2,69,490/= along with family pension, commutation value of pension and monthly pension. But except the monthly pension, he has not been paid the terminal benefits referred to in Ext.P10. Legal Laision Officer for the respondents submits that whatever amounts are pending payment will be disbursed within six weeks from the date of receipt of a copy of the judgment. The submission is recorded and an order to that effect is passed.

2. One grievance that remains to be redressed is the claim made by the petitioner for computing terminal benefits taking into account the service rendered by him in the Cochin Electrical Company which is the predecessor institution of the Kerala State Electricity Board. The petitioner places reliance on Ext.P11 Government order dated

3.11.1989, wherein it is stated that the service period of those who had worked in the Cochin Electrical Company and whose services were by the Kerala State Electricity Board will be entitled to count the period of service for the Cochin Electrical Company also. This claim has been made by the petitioner by filing Ext.P12 representation before the second respondent Chief Engineer. Hence, there shall be an order directing the second respondent to consider Ext.P12 in the light of Ext.P11 Government order and any other order on the subject and take appropriate decision within two months from the date of receipt of a copy of the judgment. If the second respondent decides to reckon the service rendered by the petitioner in the Cochin Electrical Company, the terminal benefits shall be recomputed and whatever monthly benefits payable to the petitioner shall be made available to him without further delay.

K.K.DENESAN, JUDGE

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